



City Council Agenda

Council President
Chris Mathys

Council Members

Garry Bredefeld
Mike Briggs, Acting President
Henry Perea

Sal Quintero
Daniel Ronquill
Ken Steitz

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cant Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, NOVEMBER 10, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. (THE AGENDA IS AVAILABLE ON WWW.CI.FRESNO.CA.US)

9:00 A.M. Roll Call

Invocation

Pledge of Allegiance to the Flag

Presentation of Perfect Attendance Awards to Powers-Ginsburg South Students - Council President Mathys

Proclamation of "AMERICA RECYCLES DAY" - Council President Mathys

Proclamation of "A DAY OF THANKS TO THE POVERELLO HOUSE"

Proclamation of "CENTRAL UNIFIED SCHOOL DISTRICT DAY" - Councilmember Ronquillo

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA

FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of October 27, 1998

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M.

Discussion to determine the process to review and pursue an implementation process for the Fresno Economic Recovery Committee's Final Plan - Councilmember Bredefeld

Action Taken:

10:00 A.M.

HEARING to consider approval of the Chestnut-Willow No. 2A Reorganization for the detachment of 45 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno

Action Taken:

1. RESOLUTION - Approving the Chestnut-Willow No. 2A Reorganization

Action Taken:

10:15 A.M.

HEARING to consider approval of the Chestnut/Willow No. 2B Reorganization for the detachment of 19 acres from the Fresno County Fire Protection District and the Kings River Conservation District and annexation of the same territory to the City of Fresno

Action Taken:

1. RESOLUTION - Approving the Chestnut-Willow No. 2B Reorganization

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:30 A.M. **HEARING** to consider Rezoning Application No. 98-27, (Vesting Tentative Tract No. 4514/UGM) and environmental findings, filed by Westcal, Inc., for 22.5 acres located on the southwest corner of N. Chestnut and E. Alluvial Avenues

Action Taken:

1. **BILL** - Amending the Official Zone Map from the AE-20/UGM zone district to the R-1/UGM zone district

Action Taken:

10:35 A.M. - 10:45 A.M. - RECESS

11:00 A.M.(1) **HEARING** to consider Plan Amendment Application No. 98-011, and Rezoning Application No. R-98-018, filed by Paul Lucich, for 3.52 acres of property located at 5602 E. Belmont Avenue

Action Taken:

1. **RESOLUTION** - Amending the Roosevelt Community Plan
2. **BILL** - Amending the Official Zone Map to rezone from the R-A to the C-6 zone district

Action Taken:

Action Taken:

11:00 A.M.(2) **CONTINUED HEARING** to consider Rezoning Application No. R-98-21, filed by Amanda Elegant, for 4.5 acres of property located on the north side of W. Figarden Drive between N. Santa Fe and N. Brawley Avenues (*Continued from October 20, 1998*)

Action Taken:

1. **BILL** - Amending the Official Zone Map from AE-5/UGM to R-2/BA-20/UGM

Action Taken:

11:15 A.M. * **BILL NO. B-92 (Intro. 10/20/98)** - Text Amendment No. TA-97-08 proposing changes to the Fresno Municipal Code, Article 2, Chapter 12, relating to the requirement of a conditional use permit for the sale of alcoholic beverages (*For adoption*) (*Continued from October 27, 1998*)

Action Taken:

11:30 A.M. **HEARING** to consider Rezoning Application No. 98-026, filed by Nick Shubin, for 0.34 acre, located at 3157 E. Ventura Street

Action Taken:

1. **BILL** - Amending the Official Zone Map to rezone from the R-1 zone district to the C-P zone district

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

2:00 P.M.#2 CLOSED SESSION:

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
- A. **Case Name:** Vanessa Russell, et al. v. City of Fresno, et al.
- B. **Case Name:** California Housing Council v. City of Malibu (Amicus Curiae)
- C. **Case Name:** Peter Mustaciola v. City of Fresno
- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b)
- Significant Exposure to Litigation:** Vanessa Russell (Katie Russell) v. City of Fresno, et al.

2:30 P.M. JOINT MEETING OF THE REDEVELOPMENT AGENCY:

Approve Agency minutes of October 27, 1998

Action Taken:

GENERAL CONSENT CALENDAR:

- A. Reinstatement of the Redevelopment Agency stipend - Councilmember Perea
- Action Taken:**
- B. **RESOLUTION** - Designating the South Fresno Industrial Revitalization Survey Area for redevelopment survey purposes (***Council action***) - Councilmember Ronquillo
- Action Taken:**

ADJOURN AGENCY

- 3:00 P.M.** * **BILL** - (***For introduction***) Amending the Fresno Municipal Code dealing with the establishment of residential water rates - Council President Mathys
- Action Taken:**
- 3:15 P.M.** Appearance by Barbara Pyle of Concerned Citizens for Seniors, requesting the formation of a Senior Commission
- Action Taken:**

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

- 6:00 P.M.** Consideration of agreement with Burlington Northern Santa Fe (BNSF) relating to rail route consolidation, Shaw-Marks grade separation construction, closing of ten (10) existing at-grade crossings, railroad franchise elimination, Amtrak Station site and construction, Historic Santa Fe depot site and buildings and land east of railroad tracks
1. **RESOLUTION** - Approving and authorizing the execution of that certain agreement with Burlington Northern and Santa Fe Railway Company
- Action Taken:**

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

2. **RESOLUTION** - Authorizing the filing of an application for State funds and verifying that sufficient local funds will be made available and that all other matters prerequisite to awarding the contract for grade separations on Marks Avenue and Shaw Avenue at the Burlington Northern and Santa Fe Railway Company's tracks in the City of Fresno will be undertaken

Action Taken:

3. **RESOLUTION** - Authorizing the Public Works Director to negotiate and execute Fund Transfer Agreement No. 75A0045 for \$5,357,911 with Caltrans for capital support of the new Fresno inter-city rail station

Action Taken:

1A. **GENERAL CONSENT CALENDAR**

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. * **RESOLUTION** - 36th amendment to AAR No. 98-159 appropriating \$2,300 from District One infrastructure budget for a project in the Tower District, Daily Planet remodeling - Councilmembers Briggs and Ronquillo ***(Requires 5 affirmative votes)***
Action Taken:
2. Award a contract for programmable logic controllers for water system SCADA upgrade
Action Taken:
3. Award a requirements contract to provide granular activated carbon and/or removal of granular activated carbon
Action Taken:
4. Authorization to apply for Federal Aviation Administration (FAA) FY 99 Airport Improvement Program (AIP) Funds for Project Nos. 3-06-0087-29 and 3-06-0087-30 at the Fresno Yosemite International Airport
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

5. * **RESOLUTION** - 41st amendment to AAR No. 98-159 appropriating \$148,300 to undertake the COPS MORE 98 Program funded by the U.S. Department of Justice ***(Requires 5 affirmative votes)***
Action Taken:
 - a. * **RESOLUTION** - 5th amendment to PAR No. 98-160 adding 12 permanent positions to undertake the COPS MORE Program funded by the U.S. Department of Justice
Action Taken:
6. Proposed reappointment of Paul Besselievre to the Fresno Workforce Development Board - Councilmember Bredefeld ***(For introduction)***
Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

7. Approve service extension past age 61 for Deputy Police Chief L.H. McDaniel
Action Taken:
8. **RESOLUTION** - Approving the Service Provider Agreement between Central Valley Aids Team, Inc., and the City of Fresno through the Fresno Police Department
Action Taken:
9. Authorize the City to enter into a contract with the Stone Soup Fresno in order for the City of Fresno to lease Stone Soup premises for five years for use by the Fresno Police Department
Action Taken:
10. Adopt Resolution of Intention No. 1018-D to vacate a portion of Cornelia Avenue at Dante, and setting the public hearing at 10:30 a.m. on December 8, 1998
Action Taken:
11. Approve land transactions with Catron Family to reconfigure Water Well Site No. 212 located at 4561 N. Wishon Avenue
Action Taken:
12. Approve Professional Services Agreement with Robert Boro Landscape Architect for the design of Pilibos Soccer Park
Action Taken:
13. Adopt Resolution of Intention No. 1017-D to vacate Hamilton Avenue between Parallel Avenue and Third Street and Orleans Avenue west of Second Street, and setting the public hearing for 10:00 a.m. on December 8, 1998
Action Taken:

1A. **GENERAL CONSENT CALENDAR CONTINUED**

14. **RESOLUTION** - Of intention to annex Tract Nos. 4561, and 4702 to the City of Fresno Community Facilities District No. 2, Annexation No. 9, and setting the public hearing for 2:30 p.m. on December 15, 1998
Action Taken:
15. Authorize Public Works Director to accept Grant of Easement and Right-of-Way from Fresno Irrigation District - Grantland Trunk Sewer Project
Action Taken:
16. * **RESOLUTION** - 3rd amendment to Salary Resolution No. 98-161 establishing two new classes and adjusting the salary range for four (4) existing classes
Action Taken:
17. * **RESOLUTION** - 43rd amendment to AAR No. 98-159 appropriating \$2,900 of District 2's infrastructure capital to re-surface the basketball court at the Highway City Neighborhood Center (***Requires 5***)

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

affirmative votes)

Action Taken:

18. * **RESOLUTION** - 44th amendment to AAR No. 98-159 appropriating \$4,500 of District 1's infrastructure capital to be used to purchase pots, saucers and trees to landscape Echo Street across from Fresno High School (*Requires 5 affirmative votes*)

Action Taken:

19. Approve agreement with Fresno City and County Convention and Visitors Bureau. City to improve existing Fresno Water Tower to Visitor Center use - Councilmember Ronquillo

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

1. * **BILL** - Repealing Section 2-1622 of, and adding Section 2-1622 to, the Fresno Municipal Code, relating to registration for Selective Service

Action Taken:

2. * **BILL** - Amending Sections of the Fresno Municipal Code pertaining to sewage and water disposal

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. * Direct the Police Department to begin mandatory written notification program in which all residents within a 3-block radius, all schools within a 2-mile radius, and all day-care centers within a 1-mile radius, are notified of all registered high-risk sex offenders and at police discretion, notification of serious sex offenders living in their neighborhood, as allowed under Megan's Law - Councilmember Bredefeld and Perea

Action Taken:

- B. Request Council approval to reimburse the United California State Employees Campaign \$100 which they paid to rent the City's dunk tank for their annual charitable event held on 10/27/98 - Councilmember Briggs

Action Taken:

- C. Direct staff to implement immediate, short-term solutions to improve traffic circulation and access to Fruit Avenue north of Herndon Avenue, including but not limited to, a left turn signal at Herndon and

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Fruit Avenues, and stop signs at Herndon Frontage Road and Fruit Avenue. Solutions to be funded by Calcot - Council President Mathys

Action Taken:

- D. Direct City Manager to provide status report on prior Council action of 7/21/98, wherein City Manager was directed to provide Council with fiscal impact for the purpose of administering a volunteer social services commission consisting of two appointments from each Councilmember. (Commission cannot include members, staff or employees of non-profits applying for City funding) - Councilmember Bredefeld and Council President Mathys

Action Taken:

- E. Direct staff to prepare resolution for the naming of a street in honor of Terry O. Cooper, former Director of Transportation. The street to be named is generally identified as the airport terminal access road east and north of E. Clinton Way. Resolution to be considered at set time on November 17, 1998 - Mayor Patterson, Councilmembers Steitz and Bredefeld

Action Taken:

5. CITY COUNCIL ITEMS CONTINUED

- F. Request Director of Transportation to form an Airport Advisory Committee - Councilmember Steitz

Action Taken:

- G. Direct staff to develop an RFP for food vending operations on the downtown Fulton Mall and the Mariposa Mall for Fiscal Year 2000. RFP should also include a design standard which covers such items as booth size, color, and display of merchandise. Design standard shall be developed jointly with the Downtown Association - Councilmember Ronquillo

Action Taken:

- H. Direct staff to prepare study with appropriate documents and costs related to creating two-way traffic on "P" Street. Two-way traffic on "P" Street from Ventura to Divisadero joining southbound Blackston Avenue. Staff to report back with cost and study at 11/17/98 City Council meeting - Councilmember Ronquillo

Action Taken:

6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

7. **UNSCHEDULED ORAL COMMUNICATIONS -** You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Nov. 17 - 10:00 A.M.** **HEARING** re: P.A. #98-18, Rezone Appl. No. 98-30, filed by David Ochoa
- Nov. 17 - 10:30 A.M.** Adopt resolution approving revised Freeway agreement with State of California for Route 180 from Chestnut to Temperance
- Nov. 17 - 5:00 P.M.** Text Amendment No. 98-07 - Advertised structures (billboards)
- Nov. 17 - 5:30 P.M.** **HEARING** re: Herndon Avenue (Coventry Court) bike path
- Nov. 24 - NO MEETING - THANKSGIVING WEEK**
- Nov. 30 - 9:00 A.M. - 4:00 P.M.** **Redevelopment Agency Workshop**
- Dec. 1 - 10:00 A.M.** **HEARING** on Rezone Appl. No. R-98-34, filed by DeWayne Zinkin
- Dec. 1 - 10:30 A.M.** **HEARING** re: Rezone Appl. No. 98-28, filed by Trend Homes, Inc.
- Dec. 8 - 9:30 A.M.** **HEARING** re: Rezone Appl. No. R-98-32, filed by Orlyn Pratt
- Dec. 8 - 10:00 A.M.** **HEARING** re: vacation of a portion of Hamilton and Orleans Avenues - R.I. 1017-D
- Dec. 8 - 10:15 A.M.** **HEARING** on vacation of a portion of Fresno St. between Divisadero and Illinois - R.I. 1019-D
- Dec. 8 - 10:30 A.M.** **HEARING** re: vacation of portions of Cornelia at Dante - R.I. 1018-D
- Dec. 8 - 10:45 A.M.** **HEARING** re: P.A. No. 98-16, filed by Madnav Seri

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

Dec. 8 - 5:00 P.M. Christmas Tree Lighting Ceremony (2nd floor foyer) - Mayor Patterson

Dec. 15 - 2:30 P.M.(1) CONTINUE HEARING re: City of Fresno Community District No. 2,
Annexation No. 7

Dec. 15 - 2:30 P.M.(2) HEARING re: City of Fresno Community District No. 2, Annexation No. 9